

Message Text

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ACTION EB-11

INFO OCT-01 EUR-25 IO-13 ADP-00 AGR-20 CEA-02 CIAE-00

COME-00 DODE-00 FRB-02 H-03 INR-10 INT-08 L-03 LAB-06

NSAE-00 NSC-10 PA-03 RSC-01 AID-20 CIEP-02 SS-15

STR-08 TAR-02 TRSE-00 USIA-15 PRS-01 OMB-01 OIC-04

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TAGS: ETRD, GATT, EI

SUBJ: IRISH RESTRICTIONON AUTOMOBILE IMPORTS

1. MISSION OFFERS FOLLOWING OBSERVATIONS ON IRISH ARGUMENTATION (REFTEL) THAT US SILENCE IN GATT IN 1968 AND 1970 CONSTITUTED ACQUIESCENCE IN IRISH RESTRICTIONS ON AUTOMOBILE IMPORTS:

(A) ON NOV 14, 1968 (DURING 25TH SESSION OF GATT)
US REP'S STATEMENT ON SECOND ANNUAL REPORT OF UK/IRISH FTA (L/3111) INCLUDED "...HOPE THAT IRELAND WILL CONTINUE TO MAKE FURTHER PROGRESS IN RELAXING AND REMOVING IN A NON-DISCRIMINATORY MANNER THOSE QUANTITATIVE RESTRICTIONS THAT ARE NOW IN FORCE AND WHICH ARE INCONSISTENT WITH THE GENERAL AGREEMENT."

(B) TWO-WEEK MEETING IN APRIL 1970 OF JOINT
WORKING GROUP ON IMPORT RESTRICTIONS WAS CONFRONTED WITH
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MASSIVE AMOUNT OF DOCUMENTATION COVERING SOME TWO

THOUSAND NOTIFICATIONS. IRELAND CLEARLY WAS NOT RPT NOT CENTER OF ATTENTION ALTHOUGH IT WAS ONE OF 13 COUNTRIES WHOSE RESTRICTIONS WERE SELECTED FOR EXAMINATION. AS REPORT OF JWG STATES (PARA 6 L/3991/REV. 1), GROUP DECIDED ITS CONTRIBUTION SHOULD BE DESIGNED TO ASSIST FUTURE WORK OF CTIP WG IV (QUANTITATIVE RESTRICTIONS) BY AN ITEM-BY-ITEM REVIEW "TO ASCERTAIN PURPOSE OF THE MEASURES, THEIR ECONOMIC IMPORTANCE, OTHER PROTECTION AFFORDED, AND PLANS LAND POSSIBILITIES FOR RELAXATION AND REMOVAL; THE REVIEW WAS NECESSARILY RAPID...".

(C) EEC FILED INITIAL COMPLAINT AGAINST IRISH PRACTICE IN JWG CONTEXT. USDEL RECORDS DO NOT INDICATE WHETHER WE INTERVENED SPECIFICALLY ON THIS ITEM BUT USDEL SUMMARY REPORT ON MEETING (GENEVA 1349 APRIL 27, 1970) RECORDS CONCLUDING STATEMENT BY US REP AS FOLLOWS: USDEL CRITICIZED ALMOST COMPLETE ABSENCE OF GATT JUSTIFICATION FOR EXTENSIVE ARRAY OF RESTRICTIONS MAINTAINED BY OTHERS, ESPECIALLY AGRICULTURAL ITEMS, AND RELIANCE INSTEAD ON VAGUE ALLUSION TO SOCIAL DIFFICULTIES; ALSO NOTED STRIKING DISPARITY BETWEEN DETAILED NOTIFICATION AND CONSULTATION WITH RESPECT LEGAL RESTRICTIONS ON ONE HAND AND RATHER SUPERFICIAL REVIEW BY JWG OF ILLEGAL RESTRICTIONS ON OTHER HAND.

(D) REPORT OF JWG, CLEARED BY DELEGATIONS INCLUDING IRISH, LISTS IRISH "MIXING REQUIREMENT" FOR BTN 87.02 MOTOR VEHICLES WITH CODE LETTER B WHICH MEANS "IN SECRETARIAT VIEW, CONSIDERATION OF JOINT ACTION LOOKING TOWARDS REMOVAL OR RELAXATION OF RESTRICTIONS ON THESE ITEMS MIGHT BE FRUITFUL (REF L/3991/REV. 1/CORR. 1).

(E) IN SUBSEQUENT MEETINGS OF CTIP/WG IV INCLUDING AS RECENTLY AS MARCH 1973, US HAS CONTINUED TO URGE REMOVAL OF ALL ILLEGAL QRS BEFORE START OF MTN OR PAYMENT OF COMPENSATION.

2. IN LIGHT FOREGOING, MISSION CONSIDERS IRISH CONTENTION OF US ACQUIESCENCE IS WITHOUT MERIT.

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